

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

6:69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Village of Chama

Subfile No. CHCV-004-0004A

REQUEST FOR SCHEDULING CONFERENCE

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and requests the Court to hold a scheduling conference under Rule 16 of the Federal Rules of Civil Procedure for the defendants and associated subfiles listed below in Section 7 of the Rio Chama Stream System.

The names and addresses of all parties to whom notice of the conference should be given, and who should be required to attend, either in person by counsel, are as follows:

Dos Rios Development, LLC
Chama Investments, Inc.
c/o Peter B. Shoenfeld, Esq.
P.O. Box 2421
Santa Fe, NM 87504-5520

James A. Heath
Dos Rios Ranch, LLC
c/o Richard S. Mackenzie, Esq.
1127 Paseo de Peralta
Santa Fe, NM 87501

Defendant Chama Investments, Inc. was originally joined to these proceedings in connection

with the land and water rights under this subfile (CHCV-004-0004A), and a proposed subfile order with respect to 24.5 acres of irrigated land in this subfile was approved by defendant Chama Investments but has not been submitted to the Court. James A. Heath and Dos Rios Ranch, LCC claim the water rights appurtenant to these same lands (24.5 acres). *See Amended Statement of Water Right Claim by James A. Heath and Dos Rios Ranch, LLC* filed March 6, 2008 (Doc. No. 9128). There appears to be no dispute with the State with respect to amount of water rights appurtenant to these lands.

Counsel for the State and the parties listed above are available the week of June 23, 2008.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of May, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Ed Newville

EDWARD G. NEWVILLE